

Message Text

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FM AMCONSUL SYDNEY

TO SECSTATE WASHDC 6061

INFO AMEMBASSY CANBERRA

AMCONSUL MELBOURNE

C O N F I D E N T I A L SYDNEY 0367

E.O. 11652: GDS

TAGS: AS, PFOR

SUBJ: NEW REPLACEMENT OF FORMER SENATOR MURPHY

REF : A. SYDNEY 0323

B. CANBERRA 1015

1. GRESS AND RELIABLE SOURCE REPORTS INDICATE NSW PREMIER IS DETERMINED TO PROCEED WITH PLAN TO APPOINT A NON-LABOR REPLACEMENT TO FORMER SENATOR MURPHY'S SEAT. AT MEETINGS OF LIBERAL AND COUNTRY PARTY MEMBERS OF PARLIAMENT YESTERDAY, LEWIS APPARENTLY RECEIVED ASSURANCE OF AUNANIMOUS SUPPORT. ALTHOUGH SOME MP'S HAVE RESERVATIONS THEY WILL NOT REPEAT NOT BREAK DISCIPLINE SINCE THAT WOULD ONLY UNDERMINE THE L/CP GOVERNMENT OF NSW.

2. AT YESTERDAY'S OPENING SESSION OF NSW ASSEMBLY, THE GOVERNMENT EASILY DEFEATED LABOR MOTION FOR A SECRET BALLOT ON REPLACEMENT, THUS VIRTUALLY ELIMINATING POSSIBILITY OF DEFLECTIONS. LIB MEMBER, PETER COLEMAN, INTRODUCED MOTION TO CREATE PARLIAMENTARY COMMITTEE TO STUDY PRACTICE OF OTHER COUNTRIES IN APPOINTING JUDGES TO HIGHEST COURT. THIS AN OBVIOUS SLAP AT MURPHY AND FEDERAL GOVERNMENT. COLEMAN SPECIFICALLY MENTIONED U.S. PRACTICE WHICH REQUIRED SENATORIAL APPROVAL (AND LATER TOLD ME COMMITTEE WILL WANT MATERIAL ON U.S. PRACTICES). MOTION PASSED DESPITE LABOR

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THREAT NOT TO SERVE ON COMMITTEE - A THREAT WHICH COLEMAN

BELIEVES LABOR WILL NOT CARRY OUT.

3. ASSUMING GOVERNMENT OF NSW IS OFFICIALLY NOTIFIED BY FEDERAL SENATE OF THE EXISTENCE OF VACANCY, NSW PARLIAMENT WILL PROBABLY VOTE ON REPLACEMENT THURSDAY, FEBRUARY 27. COLEMAN PRIVATELY INDICATED THAT LEWIS INTENDS NOMINATE "A PROMINENT MAN OF HIGHEST INTEGRITY WHO IS NOT REPEAT NOT A PARTY MAN". THIS DOES NOT MEAN A MAN WITH NO CONSISTENT VOTING HABITS BUT A MAN WHO IS NOT REPEAT NOT FORMALLY AFFILIATED WITH ANY PARTY. ACCORDING TO COLEMAN THE IDENTITY OF PROSPECTIVE NOMINEE IS KNOWN ONLY TO FOUR CABINET MINISTERS AND NOT TO COLEMAN. CLOSE CONTROL IS TO PREVENT PREMATURE PRESS HARRASSMENT OF NOMINEE.

4. PREMIER LEWIS, AFTER BEING DENIED EQUAL TIME BY ABC TO REPLY TO WHITLAM'S TV SPEECH LAST SUNDAY PLANS TO SPEAK ON THE WEEKEND OVER THE THREE COMMERCIAL STATIONS. ACCORDING TO MINISTER OF LABOR AND INDUSTRY HEWITT, PREMIER LEWIS WILL SPEAK FROM A PREPARRED SCRIPT. HEWITT (WHO IS ALSO MINISTER FOR FEDERAL-STATE RELATIONS) SAYS THE LEWIS GOVERNMENT IS STANDING FIRM ON A POLICY OF "UP THE FEDS".

5. COMMENT: WHILE THERE ARE OBVIOUS MISGIVINGS IN SOME LIB/CP QUARTERS IT APPEARS THAT HAVING GONE THIS FAR, LEWIS HAS DUG HIS HEELS IN AND WILL NOT BACKDOWN FURTHER THAN TO CHOOSE AN APPOINTEE WHO IS NOT FORMALLY AFFILIATED WITH A PARTH.

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